

Appln. No. 10/789,730  
Amendment dated April 25, 2006  
Reply to Office Action mailed January 26, 2006

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims** (deleted text being struck through and added text being underlined):

1. (Currently Amended) An implement retaining device for inhibiting writing implements from rolling away from a user, the implement retaining device comprising:

a body member being adapted for being positioned on a support surface such that said body member is adapted for having a portion of said body member slid under an object positioned on the support surface, said body member being adapted for receiving the writing implements such that said body member is for inhibiting the writing implements from rolling across the support surface;

wherein said body member comprises a base portion for positioning under the object and a retention portion coupled to and extending outwardly from the base portion for inhibiting the writing implements from rolling off of said body member when the writing implements are placed on said body member between said retention portion of said body member and the object is positioned on said base portion of said body member;

wherein said base portion comprises a free end positioned opposite of said retention portion for being inserted between the object and the support surface such that said base portion is retained in a desired position by the weight of the object; and

wherein said base portion tapers in thickness from said retention portion to said free end of said base portion such that said base portion is substantially wedge shaped for facilitating sliding of said base portion under the object.

2. through 4. (Cancelled)

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5. (Currently Amended) The implement retaining device as set forth in claim [[[2]]] 1, further comprising:

said retention portion of said body member having a width greater than a width of said base portion, said retention portion extending outwardly from said base portion such that said retention portion is adapted for inhibiting the writing implements from rolling off said base portion when the writing implements are positioned on said body member.

6. (Currently Amended) The implement retaining device as set forth in claim [[[2]]] 1, further comprising:

said retention portion comprising an arcuate exterior surface, said arcuate exterior surface being adapted for providing a smooth surface along which one of the writing implements can be slid to retrieve one of the writing implements, said arcuate exterior surface being adapted for providing a smooth surface that is comfortable to a hand of a user retrieving one of the writing implements.

7. (Original) The implement retaining device as set forth in claim 6, further comprising:

said arcuate exterior surface of said retention portion of said body member forming a teardrop shape, said retention portion comprising a narrow end representing the narrow portion of said teardrop shape such that said narrow end is coupled to said base portion, said teardrop shape of said retention portion providing a gradual incline such that said teardrop shape of said retention portion is adapted for facilitating selectively sliding one of the writing implements along said arcuate exterior surface of said retention portion by the user when the user removes one of the writing implements from said body member.

8. (Cancelled)

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9. (New) The implement retaining device as set forth in claim 1, wherein said retention portion comprises a loop having a pair of opposite extents, each of the opposite extents of said loop being united to said base portion.

10. (New) The implement retaining device as set forth in claim 1, wherein said retention portion of said body member has a width greater than a width of said base portion, said retention portion extending outwardly from said base portion such that said retention portion is adapted for inhibiting the writing implements from rolling off said base portion when the writing implements are positioned on said body member;

wherein said retention portion comprises an arcuate exterior surface, said arcuate exterior surface being adapted for providing a smooth surface along which one of the writing implements can be slid to retrieve one of the writing implements, said arcuate exterior surface being adapted for providing a smooth surface that is comfortable to a hand of a user retrieving one of the writing implements;

wherein said arcuate exterior surface of said retention portion of said body member forms a teardrop shape, said retention portion comprising a narrow end representing the narrow portion of said teardrop shape such that said narrow end is coupled to said base portion, said teardrop shape of said retention portion providing a gradual incline such that said teardrop shape of said retention portion is adapted for facilitating selectively sliding one of the writing implements along said arcuate exterior surface of said retention portion by the user when the user removes one of the writing implements from said body member; and

wherein said retention portion comprises a loop having a pair of opposite extents, each of the opposite extents of said loop being united to said base portion.